

CAFO FACILITY INSPECTION REPORT

OFFICE NO:

PCA SYSTEM TASK NO:

INSPECTOR(S): Anthony D'Angelo (PG Environmental, LLC)

FACILITY INFORMATION

<u>8365218001</u> WDID NUMBER	<u>Bert and Patricia Van Dam</u> OWNER NAME	<u>Two B Dairy</u> FACILITY NAME
<u>CAG018001</u> NPDES NUMBER	<u>Ex. 6 Personal Privacy (PP)</u> OWNER ADDRESS	
<u>R8-2007-0001</u> RWQCB ORDER NO.	<u>Ontario, CA 91762</u> OWNER CITY AND STATE	<u>Ontario, CA 91762</u> FACILITY CITY AND STATE
<u>04/08/2013</u> SCHEDULED INSPECTION DATE	<u>Patricia Van Dam</u> OWNER CONTACT	<u>Patricia Van Dam</u> FACILITY CONTACT
<u>04/08/2013</u> ACTUAL INSPECTION DATE	<u>Ex. 6 Personal Privacy (PP)</u> OWNER PHONE NO.	
<u>Santa Ana River</u> RECEIVING WATER	<u>Ex. 6 Personal Privacy (PP)</u> FACILITY LATITUDE	<u>Ex. 6 Personal Privacy (PP)</u> FACILITY LONGITUDE

INSPECTION TYPE

- | | |
|---|---|
| <input type="checkbox"/> (A1) "A" type compliance -- (EPA Type S) | <input type="checkbox"/> (04) Complaint - Complaint |
| <input checked="" type="checkbox"/> (B1) "B" type compliance -- (EPA Type C) | <input type="checkbox"/> (05) Pre-requirement |
| <input type="checkbox"/> (02) Noncompliance follow-up - Correction of a previously identified violation | <input type="checkbox"/> (06) Miscellaneous |
| <input type="checkbox"/> (03) Enforcement follow-up - Enforcement action is being met | |

(Type) NOTE: If this is an EPA inspection not mentioned above, please note type (e.g., biomonitoring, performance audit, diagnostic, etc.)

No	Was the inspection pre-announced?
Yes	Were potential violations noted during this inspection?
No	Was this a quality assurance-based inspection?
No	Were bioassay samples collected?
No	Were water quality samples collected?

INSPECTION SUMMARY

The overall Facility rating, on a 1 (Unreliable) to 5 (Very Reliable) scale, was determined to be: 3 = Satisfactory.

Two B Dairy (hereinafter, Facility) was rated "Satisfactory" due to the following items:

- Evidence of previous mortalities (i.e., skeletal remains) were observed inside lagoon No. 2 and pasture No. 1 (refer to Photos 11, 12, and 13)
- The Engineered Waste Management Plan (EWMP) was not fully implemented onsite at the Facility
- Accumulated manure solids and vegetation growth was present in lagoon No. 2 (refer to Photos 10, 11, and 12)

INSPECTOR DATA

INITIALS AJD SIGNATURE _____ DATE 04/08/13

CIWQS DATA ENTRY DATE: _____ REGIONAL BOARD FILE NUMBER: _____

FOR INTERNAL USE: REVIEWED BY: (1) _____ (2) _____ (3) _____

REPORT PREPARED BY: Anthony D'Angelo (PG Environmental, LLC) ON 04/18/2013

EPA SUGGESTED INSPECTION CHECKLIST

- | | | | |
|--|---|---|--|
| <input checked="" type="checkbox"/> Permit | <input type="checkbox"/> Flow Measurement | <input type="checkbox"/> Pretreatment | <input checked="" type="checkbox"/> Operations & Maintenance |
| <input checked="" type="checkbox"/> Records/Reports | <input type="checkbox"/> Laboratories | <input type="checkbox"/> Compliance Schedules | <input type="checkbox"/> Sludge Disposal |
| <input checked="" type="checkbox"/> Facility Site Review | <input type="checkbox"/> Eff/Receiving Waters | <input type="checkbox"/> Self-Monitoring | <input type="checkbox"/> Other |

POTENTIAL VIOLATIONS

1. Evidence of previous mortalities (i.e., skeletal remains) were observed inside lagoon No. 2 located in the southeastern portion of the Facility, and in pasture No. 1 located in the northwestern portion of the Facility (refer to Photos 11, 12, and 13). Discharge Prohibition IV.F states that "the disposal of any mortality in any process wastewater system is prohibited."

Description of Potential Violation: **Refer to Item No. 1 of the 'Inspection Observations' section of this report for additional details**

2. The EWMP was not fully implemented onsite at the Facility, as required by Provisions VII.C.3.b of the Permit.

Description of Potential Violation: **Refer to Item No. 1 of the 'Engineered Waste Management Plan Review' section of this report for additional details.**

3. Accumulated manure solids and vegetation growth was observed inside lagoon No. 2 located in the southeastern portion of the Facility (refer to Photos 10, 11, and 12). The Discharger must design and maintain all containment structures per the EWMP as required by Provision VII.C.3.a of the Permit.

Description of Potential Violation: **Refer to Item No. 2 and 3 of the 'Facility Housekeeping, Wastewater, and Manure Information' section of this report for additional details.**

Date of Potential Violation: **N/A**

Date of Potential Violation Determination: **April 8, 2013**

INSPECTION OBSERVATIONS

On April 8, 2013, a Concentrated Animal Feeding Operation (CAFO) inspection was conducted for Santa Ana Water Board Order No. R8-2007-0001 - 'General Waste Discharge Requirements for Concentrated Animal Feeding Operations (Dairies and Related Facilities) within the Santa Ana Region', NPDES General Permit No. (CAG018001) at Two B Dairy in Ontario, California (refer to Photo 1). The inspector provided an inspection notification phone call to Ms. Patricia Van Dam (Owner, Two B Dairy) at 10:45 AM on March 29, 2013 at the request of the Santa Ana Water Board. The inspector met with Ms. Van Dam and Mr. BJ Van Dam (Son of Owner, Two B Dairy) at approximately 12:30 PM on April 8, 2013. Ms. Van Dam declined to participate in the Facility site visit, but told the inspector she would like to have a closing conference at the end of the inspection. Mr. BJ Van Dam accompanied the inspector during the site visit. The inspector reviewed inspection records and held a closing conference with Ms. Van Dam and Mr. BJ Van Dam at the dairy office at the conclusion of the inspection. During the closing conference, the inspector reviewed the preliminary inspection findings with the Facility representatives.

The Facility is a 40-acre dairy farm with an animal population of approximately 307 milking cows and 28 dry cows at the time of the inspection. Process wastewater from the milking barn is piped either west to field No. 1 located in the western portion of the Facility or east to field No. 2 located in the eastern portion of the Facility (refer to Photos 2 through 6). At the time of the inspection, the eastern side of the milking barn and eastern wash pen were not actively being used, and all process wastewater from the western side of the milking barn and western wash pen was being piped to disposal field No. 1 for land application (refer to Photos 2 and 3). Mr. BJ Van Dam stated that process wastewater had not been land-applied onto field No. 2 in over a year. The inspector observed four (4) check valves along the northern portion of field No. 1. Mr. BJ Van Dam stated that the check valve on the east side of field No. 1 is opened for three (3) weeks at a time, the central-east check valve in field No. 1 is opened for one (1) week at a time, and the western two check valves in field No. 1 are opened for two (2) to three (3) weeks at a time. In addition, he stated that field No. 1 is plowed two (2) times per year to promote process wastewater movement and percolation. Process wastewater was actively being land applied onto field No. 1 at the time of the inspection (refer to Photo 3). Process wastewater that is land applied in either field Nos. 1 and 2 naturally flows south and accumulates in either lagoon No. 1 in the southwestern portion of the Facility, or lagoon No. 2 in the southeastern portion of the Facility (refer to Photos 6, 7, 8, and 10). Mr. BJ Van Dam stated that process wastewater almost never reaches the lagoons, but instead infiltrates into the ground. In addition, he stated that storm water runoff from the corrals on occasion will accumulate in the lagoons. Lagoon No. 1 contained approximately one (1) foot of process wastewater at the time of the inspection (refer to Photos 7 and 8). Mr. BJ Van Dam stated that the accumulated process wastewater in lagoon No. 1 was from a check valve in field No. 1 remaining open for too long. In addition, he stated that process wastewater that accumulates in the lagoons can be reapplied to the fields if needed; however, that has not occurred at the Facility for approximately six (6) years. A portable pump is not retained onsite at the Facility. Ms. Van Dam stated that the lagoons were last cleaned two (2) years ago. Surface runoff from corral Nos. 1 through 4 flows west/southwest and collects into lagoon No. 1 (refer to Photo 9). Surface runoff from corral Nos. 5 through 8 flows east/southeast and collects into lagoon No. 2 (refer to Photos 6 and 10). Corral Nos. 5 through 8 were vacant at the time of the inspection; however the corrals contained manure stockpiles (refer to Photo 14).

Ms. Van Dam stated that the corrals are typically cleaned four (4) times per year and were last cleaned two (2) months prior to the inspection. A public pick-up manure stockpile is maintained along Eucalyptus Avenue, north of field No. 2 (refer to Photo 15). A manure stockpile located in the eastern corrals is used to replenish this stockpile on an as-needed basis (refer to Photo 14). Mr. BJ Van Dam stated that stockpile is a combination of manure from the most recent corral cleaning event and manure leftover from corral cleaning events that occurred in 2012. A portion of the manure stockpile in the eastern corrals was approximately six (6) months old, per Mr. BJ Van Dam. Ms. Van Dam stated that manure was not removed from the Facility during the 2012 monitoring year due to budget constraints; therefore, manure tracking manifests were not generated. Manure is typically hauled offsite by Rico Trucking. Ms. Van Dam stated that all mortalities are removed from the Facility immediately by Stiles Animal Removal, Inc.

Mr. BJ Van Dam informed the inspector that a covered/contained portion of the Facility shop in the northwest corner of the Facility is rented to a friend for chicken housing and egg production. The chicken coop appeared to contain approximately fifty (50) chickens; however, an exact number of chicken livestock at the Facility was not provided. Process wastewater is not generated from this area.

FACILITY

CAFO Size: **Medium**
(at time of inspection)

Total Acres: **40**

Production Area Acres:
Unknown

CONTAINMENT STRUCTURES

Wastewater Lagoons: **2**
Depth Markers: **2**

Evaporation Ponds: **0**
Other: **1 disposal field**

Catch Basins: **0**

ANIMALS ONSITE DURING INSPECTION

Milk Cows: **307**
Calves: **0**

Dry Cows: **28**
Other: **Approx. 50 chickens
and 2 geese**

Heifers: **0**

INSPECTION OBSERVATIONS

1. The inspector observed, during the inspection, evidence of previous mortality disposal (skeletal remains) in lagoon No. 2 located in the southeastern portion of the Facility and in pasture No. 1 located in the northwestern portion of the Facility (refer to Photos 11, 12, and 13). Mr. BJ Van Dam stated that all mortalities at the Facility are hauled away immediately by Stiles Animal Removal, Inc.; however, coyotes have been known to kill calves and drag them around the Facility and offsite. Discharge Prohibition IV.F states that "the disposal of any mortality in any process wastewater system is prohibited."

ANNUAL REPORT REVIEW

ANNUAL REPORT

Monitoring Year: **2012**

Reviewed: **Yes**

Signed & Certified: **Yes**

Submittal Date: **January 14, 2013**

REPORTED ANIMAL POPULATION

Milk Cows: **277**
Calves: **0**

Dry Cows: **67**
Other: **N/A**

Heifers: **0**

MANURE INFORMATION

Amount of manure spread on cropland at the Facility: **None**

Amount of manure hauled away from the Facility: **1,430 Tons**

Name and location of the composting operation, or, if the manure was hauled to cropland, the owner or tenant, and the destination address: **According to Ms. Van Dam, manure was not removed from the Facility in 2012 due to budget constraints**

1. The inspector observed, during the 2012 Annual Report review, that manure had not been removed from the Facility as required by the Permit. Specifically, the 2012 Annual Report states that manure was not removed from the Facility during the 2012 Monitoring Year due to budget constraints. Provision VII.C.5.e states "manure removed from the corrals shall be removed from the facility within 180 days. Any manure remaining at the facility

Inspection Date: April 8, 2013

Page 5 of 7

after 180 days of being removed from the corrals is considered to be disposal of manure and is prohibited." Ms. Van Dam stated that the majority of the stockpiled manure from the 2012 corral cleaning events was removed from the Facility in March 2013. It should be noted that a manure stockpile is maintained in the central portion of the Facility and is used to periodically replenish a public pick-up manure stockpile located along Eucalyptus Avenue (refer to Photos 14 and 15). Mr. BJ Van Dam stated that the manure stockpile in the central portion of the Facility had been there about six (6) months but the majority of it was from a corral cleaning event that occurred two (2) months prior to the inspection. As a result, manure from the 2012 corral cleaning events had not been removed from the Facility within 180 days as required by Provision VII.C.5.e of the Permit; however, all manure older than 180 days had been removed from the Facility prior to the inspection.

ENGINEERED WASTE MANAGEMENT PLAN (EWMP) REVIEW

Did the inspector review the EWMP in the RWQCB file? **Yes**
Did the Facility have a copy of the EWMP on-site and available for review? **Yes**
EWMP preparation date: **May 3, 2002**
EWMP prepared by: **Nolte Associates, Inc.**
Santa Ana RWQCB EWMP acceptance date: **May 12, 2003**
EWMP was certified by the Facility's engineer/consultant on: **Unknown**

1. The EWMP was not fully implemented onsite at the Facility as required by the Permit. Section V - 'Operation and Maintenance' of the EWMP states that "daily inspections should be made upon all ponds, berms, and wastewater distribution and application equipment following the first significant rain event of each winter season. These daily inspections should continue until large rain events cease in the spring." It should be noted that Mr. BJ Van Dam stated that the containment structures and berms are observed on a daily basis; however, these observations are not documented. As a result, the inspector was unable to determine whether daily inspections are conducted at the Facility. Therefore, the Discharger was not fully implementing the approved EWMP. Provision VII.C.3.b of the Permit states that "the discharger shall develop and fully implement an Engineered Waste Management Plan (EWMP) acceptable to the Executive Officer." The Discharger shall fully implement the EWMP as required by Provision VII.C.3.b of the Permit.

NUTRIENT MANAGEMENT PLAN (NMP) REVIEW (IF APPLICABLE)

Did the Facility have a copy of the NMP on-site and available for review? **N/A**
Date NMP was prepared: **N/A**
NMP prepared by: **N/A**
Santa Ana RWQCB NMP acceptance date: **N/A**

1. The Discharger does not apply manure, litter, or process wastewater to croplands under their ownership or operational control; therefore, the Discharger is not required to develop, implement, and retain onsite a Nutrient Management Plan as stated in Provision VII.C.3.d of the Permit. It should be noted that the Discharger applied 250 tons of manure to Facility pastures in 2011. Ms. Van Dam stated that manure was not land-applied at the Facility in 2012. It was unclear to the inspector whether the Discharger planned to apply manure onto the Facility pastures at a later date; therefore, the inspector was unable to determine whether the Discharger needed to develop and implement an approved NMP as required by Provision VII.C.3.d of the Permit.

FACILITY HOUSEKEEPING, WASTEWATER, AND MANURE INFORMATION

Typical Depth of Manure in Corrals (in inches):	1-3
Estimated Freeboard in Fullest Lagoon (in feet):	6
Date of Last Lagoon Solids Removal, per Facility Representative:	2001
Disposal Location for Lagoon Solids:	Unknown

REVIEW OF FACILITY HOUSEKEEPING

1. The inspector observed, during the inspection, adequate housekeeping and pollution prevention practices at the Facility. Corrals and feed lanes appeared to be well maintained at the time of the inspection (refer to Photo 16).

CONDITION OF BERMS AND CONTAINMENT STRUCTURES

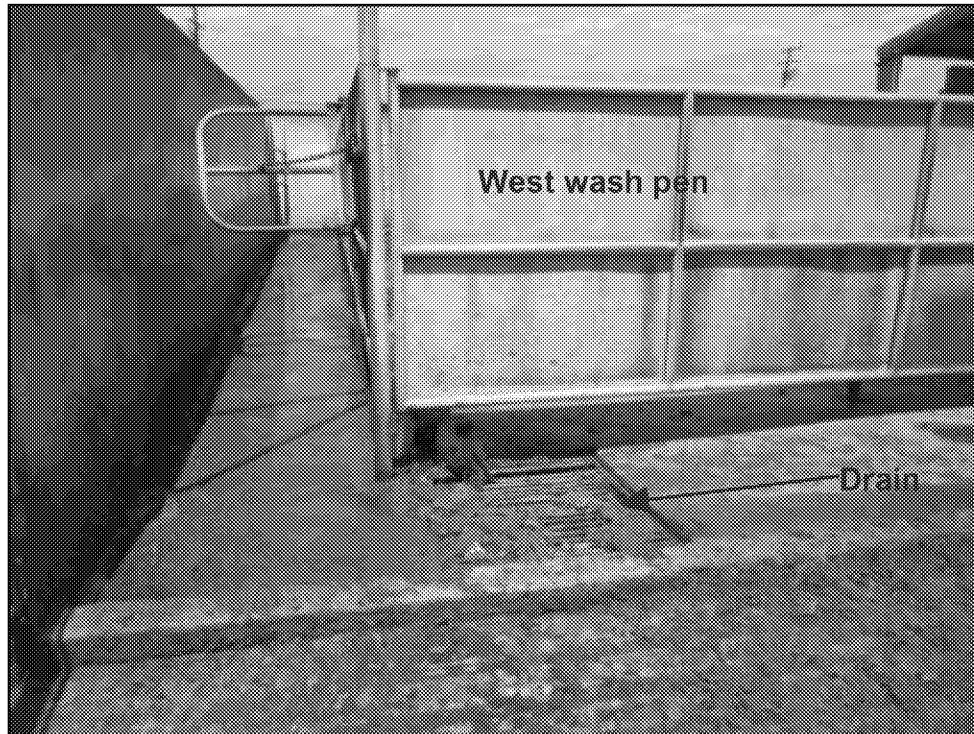
2. The inspector observed, during the inspection, accumulated solids inside lagoon No. 2 located in the southeast portion of the Facility (refer to Photos 11 and 12). As a result, the overall capacity of the containment structures at the Facility may be diminished. The Discharger must design and maintain all containment structures per the EWMP as required by Provision VII.C.3.a of the Permit.
3. The inspector observed, during the inspection, that vegetation growth potentially affecting the containment structure capacity was present in lagoon No. 2 located in the southeast portion of the Facility (refer to Photos 10, 11, and 12). Mr. BJ Van Dam stated that weed abatement is a constant battle, and that weeds are usually mowed two (2) times per year. As a result, the overall capacity of the containment structures at the Facility may be diminished. The Discharger must design and maintain all containment structures per the EWMP as required by Provision VII.C.3.a of the Permit.

ITEMS FOR FOLLOW UP ON FUTURE INSPECTIONS

1. Verify whether manure is removed from the Facility within 180 days
2. Verify whether daily inspections are conducted at the Facility during the wet season, per the EWMP
3. Verify whether manure is land-applied on the Facility fields and pastures
4. Verify whether the lagoons are adequately maintained



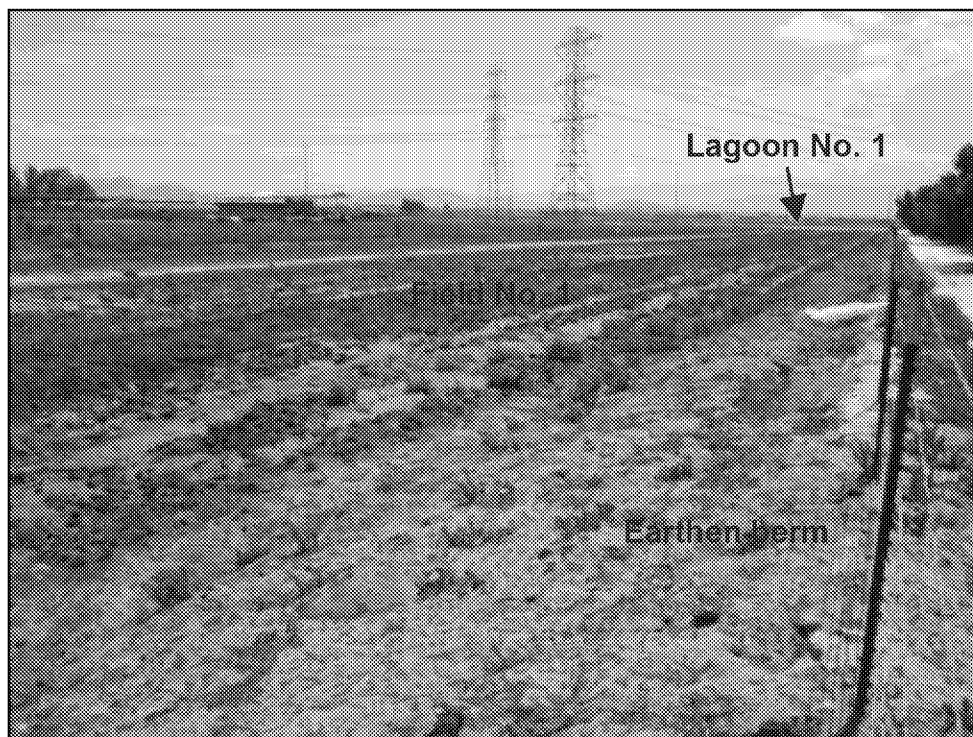
Photograph 1. Two B Dairy Facility sign.



Photograph 2. View facing north of the western wash pen drain. Note this drain collects process wastewater from the wash pen and conveys it southwest to four (4) check valves along the north side of field No. 1. Note the eastern wash pen is no longer used at the Facility.



Photograph 3. View facing south of a check valve actively releasing process wastewater into field No. 1 on the west side of the Facility.



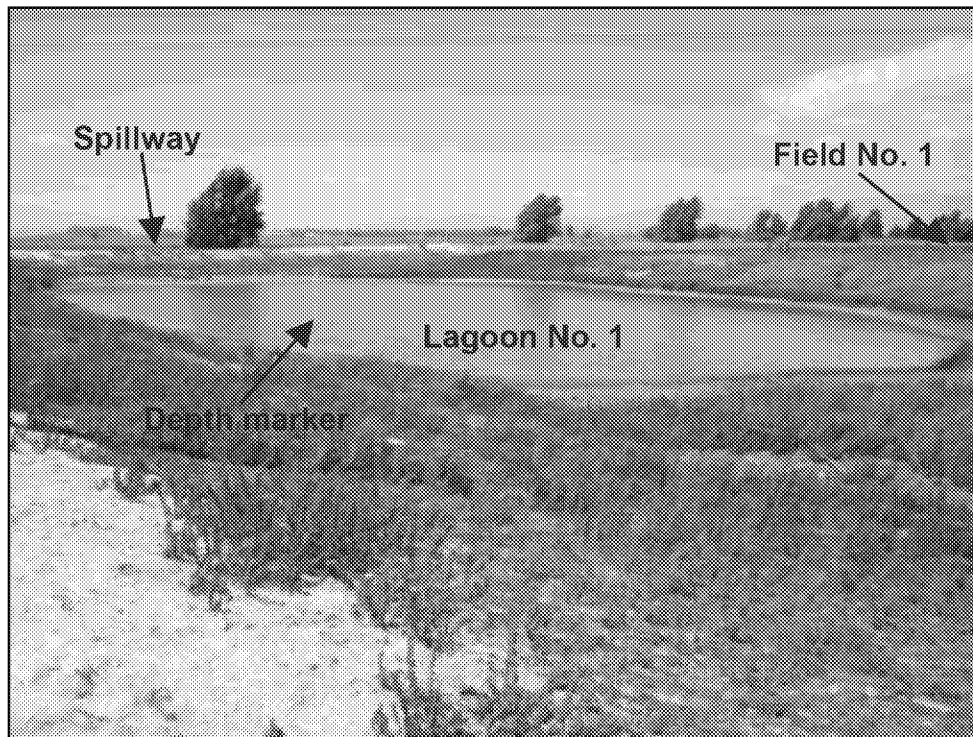
Photograph 4. View facing southeast of field No. 1, shown in Photograph 3. Note the earthen berm along the western field perimeter appeared well maintained.



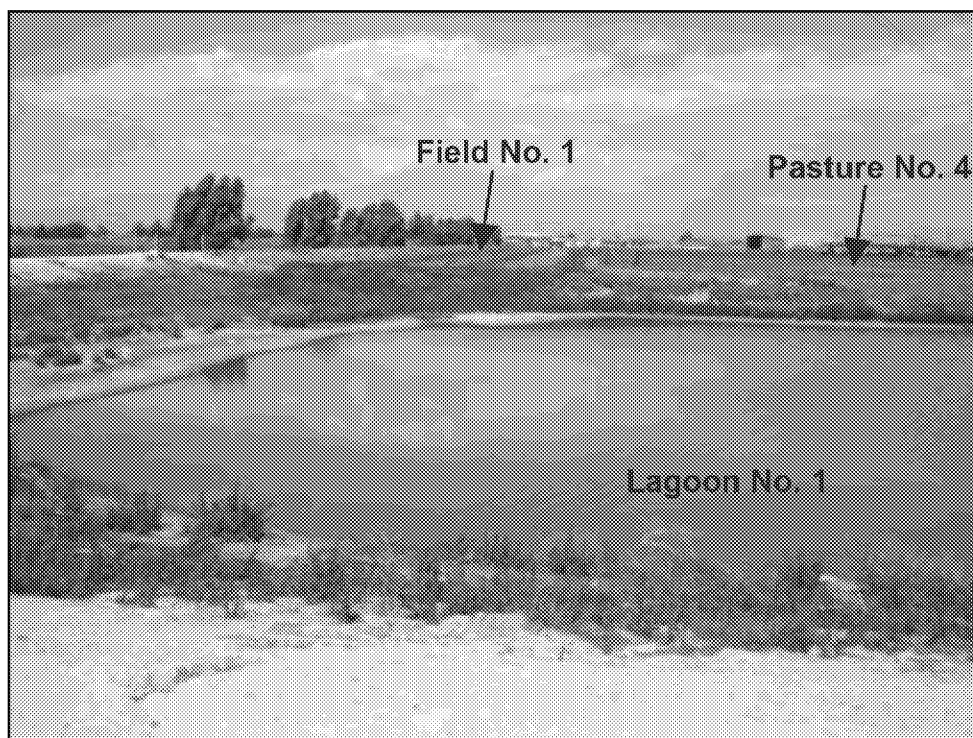
Photograph 5. View facing south of field No. 2 located on the east side of the Facility. Note process wastewater had not been land-applied onto field No. 2 in over a year according to Facility representatives.



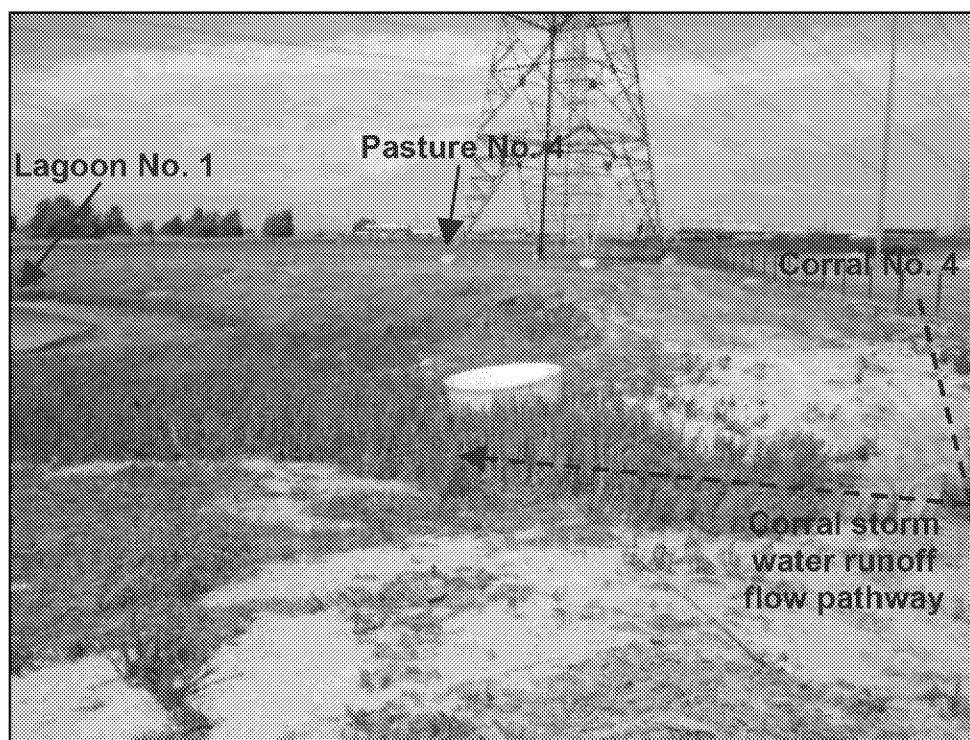
Photograph 6. View facing southwest of the south end of field No. 2. Note excess process wastewater or storm water runoff from the field flows south into lagoon No. 2 located in the southeast portion of the Facility.



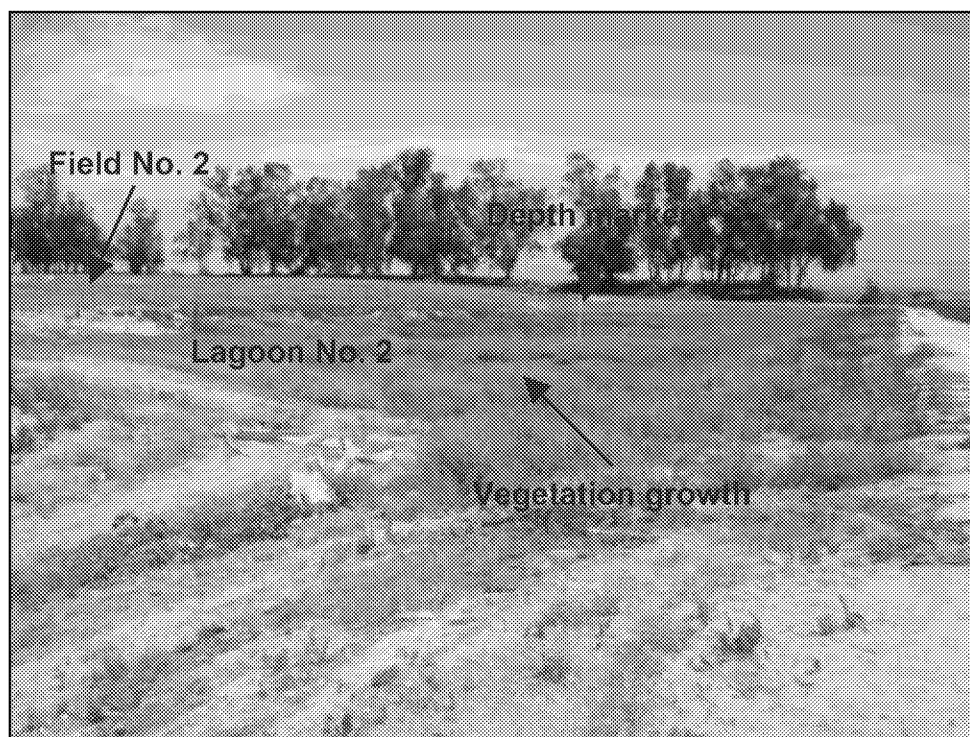
Photograph 7. View facing northwest of lagoon No. 1 in the southwestern portion of the Facility. Note the lagoon contained approximately one (1) foot of accumulated process wastewater.



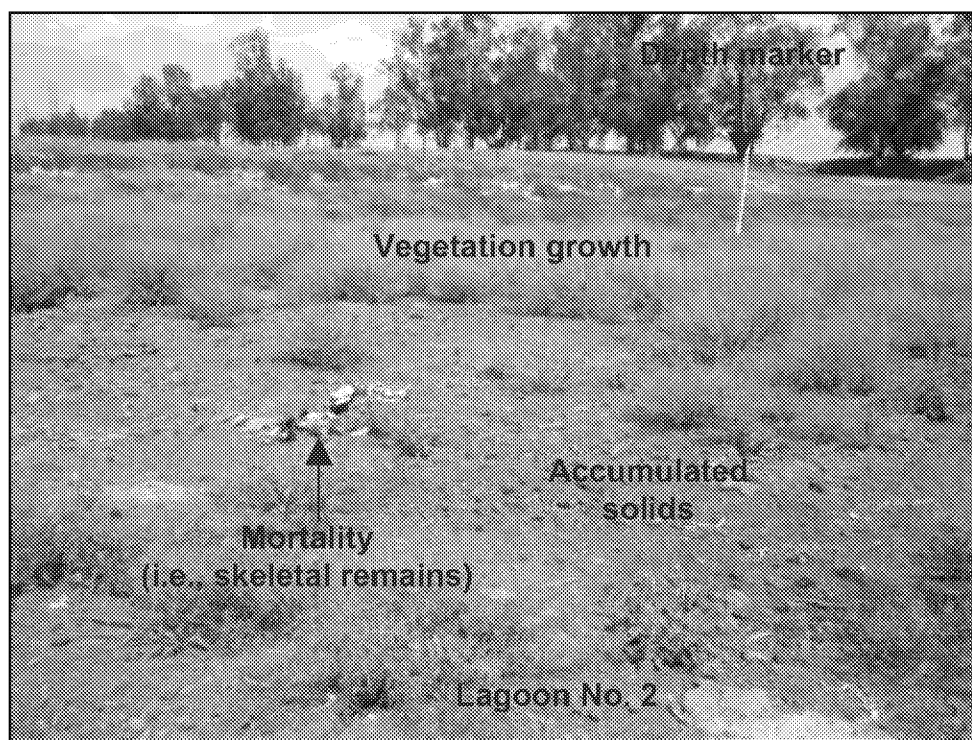
Photograph 8. View facing north of lagoon No. 1, shown in Photograph 7. Note excess process wastewater and storm water runoff from field No. 1 flows south into lagoon No. 1.



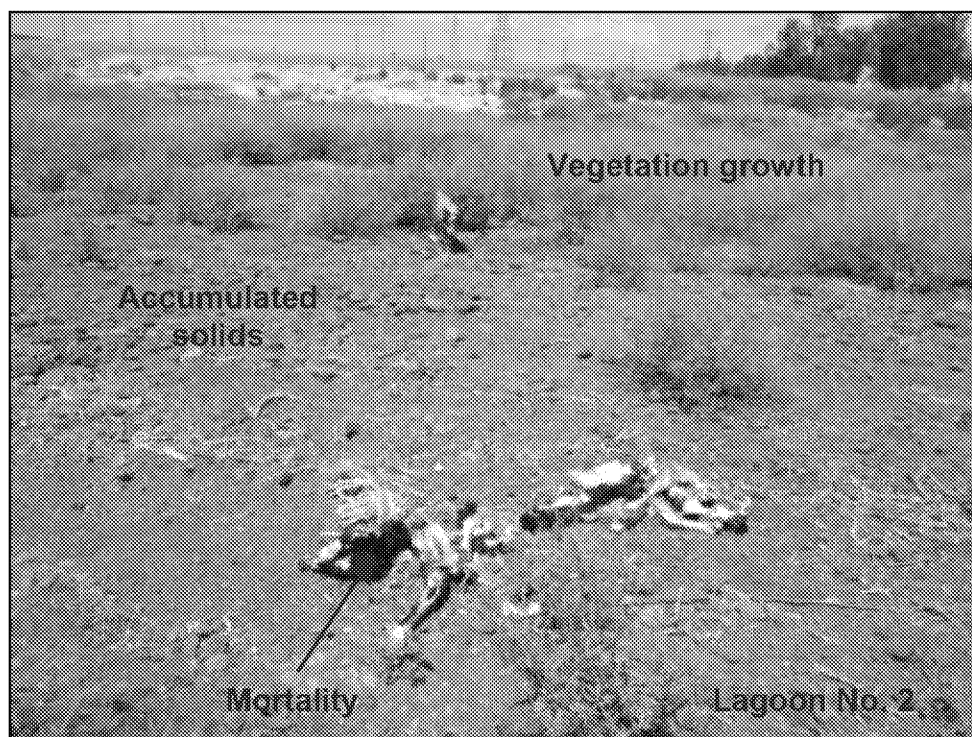
Photograph 9. View facing north of the storm water runoff flow pathway from the western corrals into the east side of lagoon No. 1.



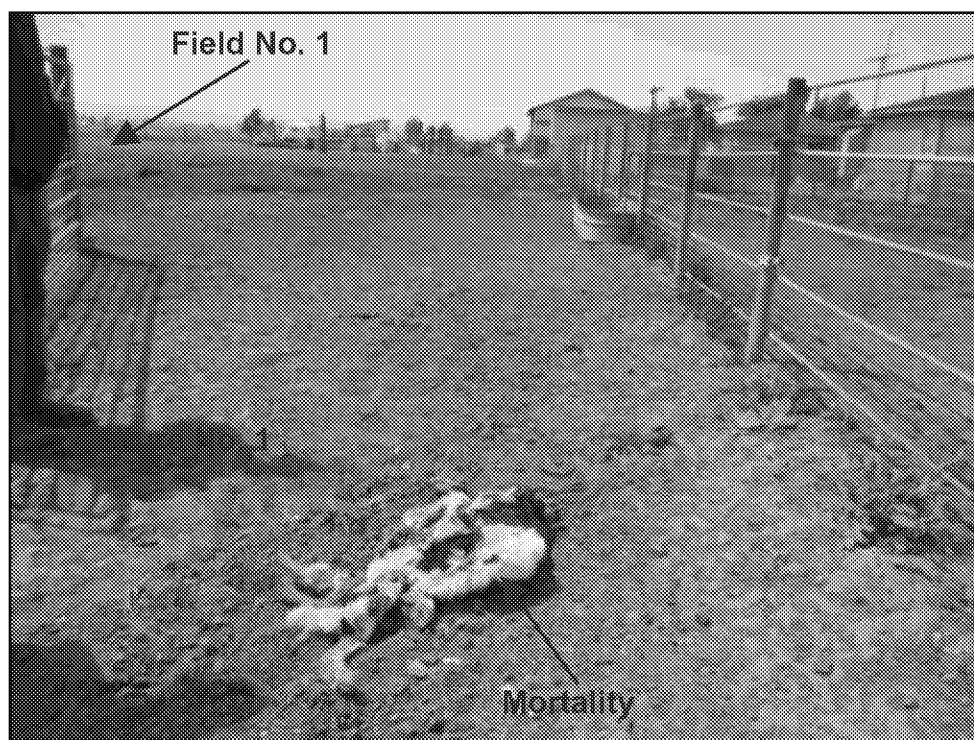
Photograph 10. View facing northeast of lagoon No. 2 located in the southeastern portion of the Facility. Note the vegetation growth.



Photograph 11. View facing northeast of mortality, accumulated solids, and vegetation growth inside lagoon No. 2.



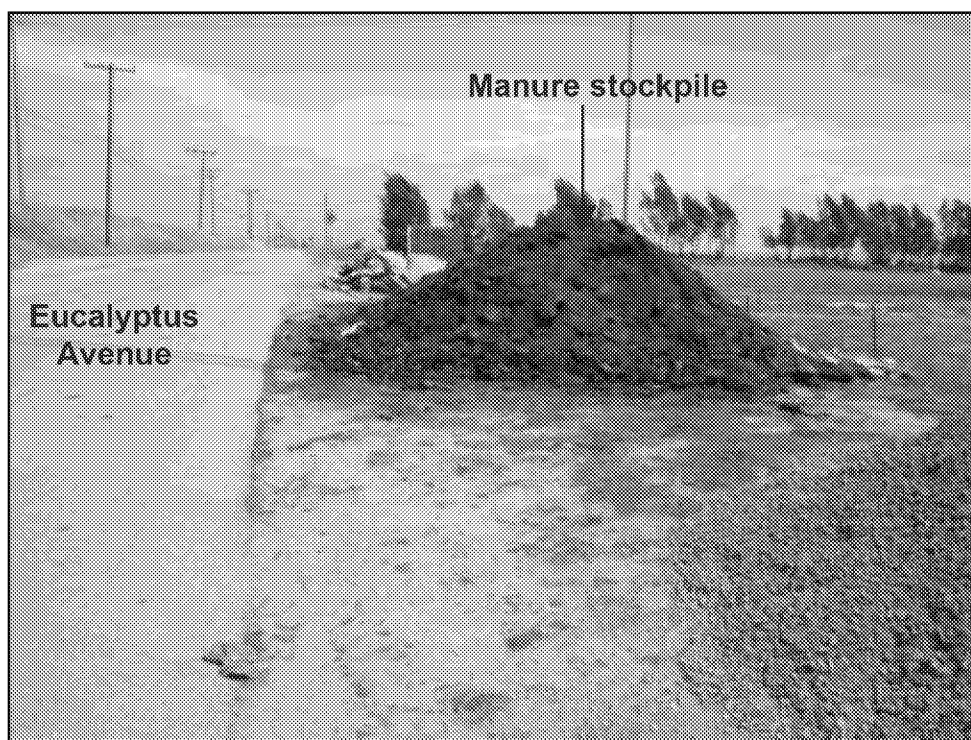
Photograph 12. Close-up view of the mortality, accumulated solids, and vegetation growth inside lagoon No. 2, shown in Photograph 11.



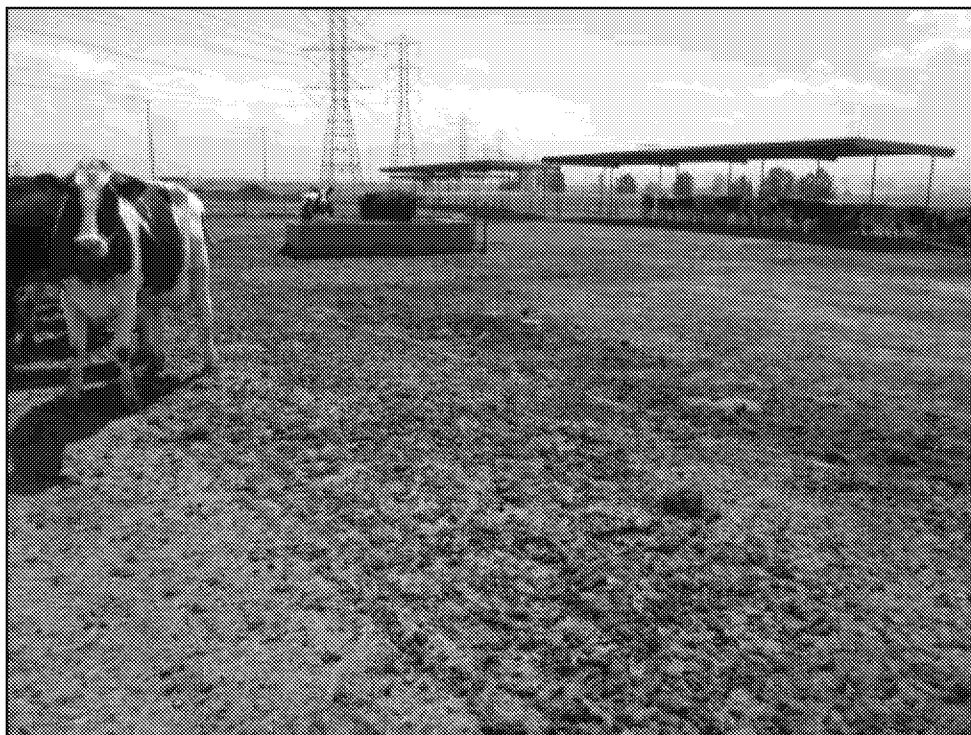
Photograph 13. View facing west of mortality located inside pasture No. 1.



Photograph 14. View facing east of a manure stockpile located inside corral No. 5. Note this stockpile is used to replenish the public manure stockpile on Eucalyptus Avenue, shown in Photograph 15.



Photograph 15. View facing east of the public pick-up manure stockpile located on Eucalyptus Avenue, north of field No. 2.



Photograph 16. View facing southwest of the western corrals. Corrals appeared to be well maintained at the time of the inspection.